

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

In re

E.D. YOUNG, INC.,

Debtor.

PAUL A. LEVINE, Chapter 7 Trustee,

Plaintiff,

-v-

6:07-MC-64

REXEL, INC., WESCO DISTRIBUTION, INC.;
DRAGON BENWARE CROWLEY & COMPANY,
P.C.; SOUTHWORTH MILTON, INC.; SYRACUSE
UTILITIES, INC.; and NASCO AWNING & SIGN
CO. (as successor and/or f/k/a Northern Awning
& Sign Co.;

Defendants.

APPEARANCES:

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Attorneys for Defendant Rexel, Inc.
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OF COUNSEL:

SCOTT R. ALMAS, ESQ.

MARK CHINITZ, ESQ.

BEN L. ADERHOLT, ESQ.

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED

AUG 15 2007

LAWRENCE K. BAERMAN, Clerk
UTICA

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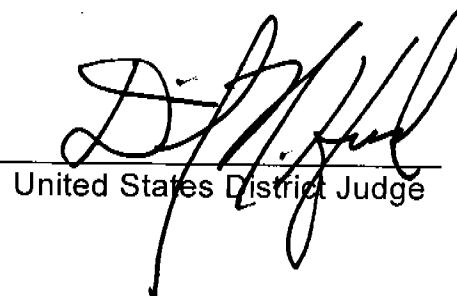
DAVID N. HURD
United States District Judge

DECISION and ORDER

Defendant Rexel, Inc. ("Rexel") moved to withdraw the reference to the bankruptcy court. Plaintiff has not opposed or otherwise responded to the motion. The basis for Rexel's motion is that it is entitled to a jury trial of the preferential transfer issue, and it has not consented to a trial by jury before the Bankruptcy Court. See 28 U.S.C. § 157(d)-(e). Given that Rexel has shown cause for withdrawal, see id. § 157(d), it is

ORDERED that the Rexel, Inc.'s motion to withdraw the reference is GRANTED.

IT IS SO ORDERED.



United States District Judge

Dated: August 15, 2007
Utica, New York.